

Bill no.:	HR 4157
Amendment no.:	1c
Date offered:	6/8/06
Disposition:	Withdrawn

**AMENDMENT TO MR. DEAL'S AMENDMENT IN THE  
NATURE OF A SUBSTITUTE  
OFFERED BY MS. ESHOO**

[Page and line numbers refer to HEALTHHIT02A of June 7,  
2006]

In the heading of section 103 [page 10, line 16],  
strike “**INTEROPERABILITY PLANNING PROCESS**”  
and insert “**CORE INTEROPERABILITY GUIDELINES  
AND CERTIFICATION SYSTEM**”.

In the heading of the new section 272 of the Public  
Health Service Act [page 10, line 22], strike “INTER-  
OPERABILITY PLANNING PROCESS” and insert “CORE  
INTEROPERABILITY GUIDELINES AND CERTIFICATION  
PROCESS”.

Strike paragraph (1) of the new section 272(a) of  
the Public Health Service Act [page 11, line 1 through  
page 12, line 19] and insert the following new para-  
graphs (and redesignate any subsequent paragraph ac-  
cordingly):

- 1           “(1) CORE INTEROPERABILITY GUIDELINES
- 2           AND CERTIFICATION SYSTEM.—
- 3           “(A) ADOPTION OF GUIDELINES BY REGU-
- 4           LATION.—



1                   “(i) IN GENERAL.—By a date that is  
2                   not later than 18 months after the date of  
3                   the enactment of this section, the National  
4                   Coordinator shall, by regulation, develop  
5                   and adopt core interoperability guidelines  
6                   for health information technology, with re-  
7                   spect to ambulatory care, inpatient care,  
8                   laboratory data, drug prescription orders,  
9                   clinical research, personal health records,  
10                  and any other health information specified  
11                  by the Secretary of Health and Human  
12                  Services.

13                  “(ii) CORE INTEROPERABILITY GUIDE-  
14                  LINES DEFINED.—For purposes of this  
15                  section, the term ‘core interoperability  
16                  guideline’ means a guideline or standard  
17                  that allows information systems (or compo-  
18                  nents of such systems) to electronically ex-  
19                  change and use health information. Such  
20                  term includes a standard on syntax (such  
21                  as a messaging standard or a standard re-  
22                  lated to the order or sequence of data  
23                  transmission) and a standard on semantics  
24                  (such as a medical vocabulary standard).



1           “(B) AHIC REVIEW AND UPDATE OF  
2           GUIDELINES.—Not later than one year after  
3           the date of the enactment of this section, and  
4           annually thereafter, the American Health Infor-  
5           mation Community shall—

6                   “(i) review existing core interoper-  
7                   ability guidelines (including any content,  
8                   communication, and security standards)  
9                   for the electronic exchange of health infor-  
10                  mation;

11                  “(ii) identify deficiencies and omis-  
12                  sions in such existing core interoperability  
13                  guidelines;

14                  “(iii) identify any duplication or over-  
15                  lap in such existing core interoperability  
16                  guidelines; and

17                  “(iv) recommend new core interoper-  
18                  ability guidelines and modifications to such  
19                  existing core interoperability guidelines as  
20                  necessary.

21           “(C) CERTIFICATION SYSTEM.—By a date  
22           that is not later than 18 months after the date  
23           of the enactment of this section, the National  
24           Coordinator shall develop and implement a sys-  
25           tem for the voluntary certification of health in-



1           formation technology products to ensure that  
2           such products meet applicable core interoper-  
3           ability guidelines.

4           “(2) FEDERAL SPENDING CONDITIONED ON  
5           COMPLIANCE WITH CORE INTEROPERABILITY GUIDE-  
6           LINES.—

7           “(A) IN GENERAL.—Not later than one  
8           year after the adoption of an applicable core  
9           interoperability guideline under paragraph  
10          (1)(A)(i), and in compliance with chapter 113  
11          of title 40, United States Code, no Federal  
12          agency shall expend Federal funds for the pur-  
13          chase of any new health information technology  
14          or health information technology system for  
15          clinical care or for the electronic retrieval, stor-  
16          age, or exchange of health information that is  
17          not consistent with such applicable core inter-  
18          operability guideline (either directly or through  
19          the use of interface software or other tech-  
20          nology necessary to bring pre-existing systems  
21          into compliance with such standards).

22          “(B) RULE OF CONSTRUCTION.—Nothing  
23          in subparagraph (A) shall be construed to re-  
24          strict the purchase of minor (as determined by  
25          the Secretary) hardware or software compo-



1           nents in order to modify, correct a deficiency in,  
2           or extend the life of existing hardware or soft-  
3           ware.”.

In paragraph (3)(A) of the new section 272(a) of the Public Health Service Act, as redesignated, strike [page 12, line 21] strike “August 31, 2008” and insert “the date that is 1 year after the date of the enactment of this section” and strike [page 13, line 2] “by appropriate significant use case”.

Strike paragraph (4) of the new section 272(a) of the Public Health Service Act, as redesignated [page 14, lines 1 through 8].

In subsection (b)(1) of the new section 272 of the Public Health Service Act [page 14, lines 11 through 13], strike “a core interoperability guideline endorsed under subsection (a)(3) for a significant use case” and insert “an applicable core interoperability guideline adopted under subsection (a)(1)(A)(i)”, and [page 14, line 17] strike “date of such endorsement” and insert “date of such adoption”.